

- a. Constitution. (For example, Articles of the Constitution.)
 - b. Treaties and International Law. (For example, the Geneva Convention of 1949.)
 - c. Generally accepted international practice. (For example, the Law of the Seas.)
- C. The four principles of the Constitutional Paradigm.
- 1. Principle I: Resolve ethical conflicts through application of the Hierarchy of Loyalties:
 - a. Constitution
 - b. Mission
 - c. Service
 - d. Ship or Command
 - e. Shipmate
 - f. Self
 - 2. Principle II: Resolve conflicting loyalties before acting upon differences in priorities. (The Chain of Command can assist you with understanding ways to resolve dilemmas with priorities.)
 - 3. Principle III: Resolve yourself to Principles I or II, or consider removing yourself from the situation or resigning.
 - 4. Principle IV: If you find the ethical issue at stake too important and too immediate to allow you to resolve it by reference to the first three principles, you can choose to disobey.
 - a. There are four prerequisites that must be accomplished/in place before resorting to Principle IV within the Constitutional Paradigm.

- (1) The issue is a fundamental violation of justice that is not trivial.
 - (2) You must first try to have the order/law changed by normal procedures.
 - (3) The disobedience is done in public, with full awareness.
 - (4) You must be willing to accept the consequences.
- b. Students should comprehend the reason for confronting situations when principles conflict each other so greatly that individuals may consider putting other principles higher than Principles I or II.

VI. Discussion Questions

- A. Are military professionals bound by higher moral ethics than the average civilian, or are they held more strictly to the moral principles that should apply to everyone equally?
- B. How could a midshipman in trying to change an NROTC regulation with which he/she disagrees apply the constitutional paradigm? Are there better ways to approach disagreeable regulations?
- C. How do we distinguish just from unjust laws? According to Martin Luther King, Jr., what are our responsibilities if we choose to disobey an unjust law?
- D. Do military leaders have a special responsibility to look after the "ethical health" of their subordinates?
- E. Besides responding swiftly to violations, what methods can one employ to reinforce the high ethical standards